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BY ECF

Hon. John G. Koeltl
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *In Re: Kingdom of Belgium, Federal Public Service Finance Pension Plan Litigation*,
No. 21 Civ. 06392 (lead case)

Dear Judge Koeltl:

I write on behalf of Defendants¹ to request that the Court issue an order permitting Defendants to file under seal the Second Declaration of Nicholas Bahnse and Exhibit A thereto, pursuant to the Court's Individual Rules. Both the Declaration and the Exhibit contain information relating to an investigative file of the Belgian Public Prosecutor. The Plaintiff has referred to the "investigation file of the Belgian Federal Police" as "confidential," and stated that at least as of January 2022, the investigation "remain[ed] ongoing." Xiphias Am. Compl. ¶ 56. Sealing these limited materials is thus warranted by "[s]uch countervailing factors" as the interests of law enforcement and "the privacy interests of those resisting disclosure." *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006).

Plaintiff's counsel did not respond to Defendants' request that Plaintiff consent to this request.

Respectfully submitted,

/s/ Alan E. Schoenfeld
Alan E. Schoenfeld

¹ See Notice of Motion, Dkt. 78 (defining "Defendants").